

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

BRIAN T. COLLUM,	)	8:12CV17
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
PAYPAL, and KELLIE CAIN,	)	
	)	
Defendants.	)	

This matter is before the court on Plaintiff's Motions to Reassign Case (filing nos. [25](#) and [26](#)) and Plaintiff's Amended Motion to Amend Motion to Reassign and Reopen Case (filing no. [27](#)). The court dismissed this matter and entered Judgment against Plaintiff on May 16, 2012.<sup>1</sup> (Filing Nos. [18](#) and [19](#).)

Liberal construed, Plaintiff seeks relief from the court's Judgment pursuant to [Fed. R. Civ. Pro. 60\(b\)\(6\)](#). (Filing No. [27](#).) [Rule 60\(b\)\(6\)](#) "grants federal courts broad authority to relieve a party from a final judgment 'upon such terms as are just,' provided that the motion is made within a reasonable time and is not premised on one of the grounds for relief enumerated in clauses (b)(1) through (b)(5)." [Liljeberg v. Health Serv. Acquisition Corp.](#), 486 U.S. 847, 863 (1988). However "[r]elief is available under Rule 60(b)(6) only where exceptional circumstances have denied the moving party a full and fair opportunity to litigate his claim and have prevented the moving party from receiving adequate redress." [Harley v. Zoesch](#), 413 F.3d 866, 871 (8th Cir. 2005).

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<sup>1</sup>The court has also previously denied two Motions to Reopen filed by Plaintiff in this matter. (See Filing Nos. [22](#) and [24](#).)

The court has carefully reviewed Plaintiff's Motions. Plaintiff has not set forth any "exceptional circumstances" that prevented him from fully litigating his claims or receiving adequate redress. Accordingly, Plaintiff's Motions are denied.<sup>2</sup>

IT IS THEREFORE ORDERED that Plaintiff's Motions to Reassign Case (filing nos. [25](#) and [26](#)) and Plaintiff's Amended Motion to Amend Motion to Reassign Case (filing no. [27](#)) are denied.

DATED this 27<sup>th</sup> day of August, 2012.

BY THE COURT:

*Richard G. Kopf*

Senior United States District Judge

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<sup>2</sup>Plaintiff states that he wants his case to be reviewed by a new judge. (Filing No. [27](#).) To the extent that Plaintiff is asking the court to reassign this case, his motion is also denied.

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